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Agenda item 9
Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by the Sikh Human Rights Group, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2018]

* Issued as received, in the language(s) of submission only.

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Please recycle

Towards a Declaration on Diversity

39th Session of the Human Rights Council (10 - 28 September 2018)

Towards a declaration on diversity

At the World Conference Against Racism 2001 in Durban, the Sikh Human Rights Group suggested that the world needs to move beyond the issue of discrimination and promote diversity as a natural phenomenon of life, and to include it as State policy. We support the mechanisms under Agenda 9 (Racism, Racial Discrimination, Xenophobia and related Intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action.

They are necessary to combat Racism, Xenophobia and Related Intolerances. However there is also a need to look at positive approaches to diversity by seeking to promote it through best practices and encouraging States to commit to promoting diversity as a norm.

We propose that the Human Rights Council consider promoting a comprehensive Declaration on Diversity which will be wide ranging, promoting inclusiveness and positive action in areas such as but not limited to race, ethnicity, cultural, religious, lifestyle, gender, disability, age, political thought, linguistics, environment and biodiversity.

Currently the Conventions and Treaties are based on rights claimed under an ideal set of norms. Individuals and communities have to assert those rights. They often have to go through a political and legal process to ensure their rights are respected and protected by the State. Under this dynamics, there are those who have the power to grant and respect the rights of others and there are those who are dependent on potential abusers refraining from abuse. If those with the power to abuse do violate rights, then redress has to be sought through legal or political means and make abusers powerless from further abusing.

Rights however are the building blocks of equality, respect and dignity in the modern age. Rights are fundamental to the institution of State and its obligation to the individuals. Nevertheless this can be strengthened by affirmative action.

An additional, different and positive approaches can compliment and strengthen fundamental rights and the various international treaties. A Declaration on Diversity inclusive of the different rights can encourage States to sign up to some or all of its aspects with intentions to adopt best practices and affirmative action to promote diversity.

A Declaration will encourage States to interpret diversity as a positive phenomenon rather than an obligation met reluctantly or having diversity promoted only by political and legal challenges. It will also enable the State to diffuse the parochial and xenophobic tendencies sometimes present in populist politics.

A Declaration is not binding, hence it will have a gradual, accumulative and reformative purpose without the State feeling defensive. We often see that when States are challenged on diversity from a human rights perspective, they tend to deny abuses or lack of rights rather than accept it as a problem to be redressed.

In taking this forward, we will urge OHCHR together with other UN bodies to set up a small task team that will pull together best practices, approaches and policy initiatives that States can adopt.

It can be argued that there are already Declarations on Cultural Diversity, such UNESCO Universal Declaration on Cultural Diversity, the UN Millennium Declaration incorporating Human Rights and Cultural Diversity. The Declaration being proposed is however more comprehensive and builds on the principles and areas of human rights binding race, culture, political pluralism, religion, gender, sexuality and so on, together.

In this and subsequent meetings we hope to encourage a debate on this so diversity becomes a norm rather than a political issue.

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